

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Heinz FOCKE, et al.

Appln. No.: 10/525,652

Group Art Unit: 3728

Confirmation No.: 7993

Examiner: Luan Kim Bui

Filed: February 25, 2005

For: CIGARETTE PACKAGING

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed non-U.S. patent documents is submitted herewith. In accordance with 37 C.F.R. § 1.98(a)(2)(i), the undersigned is not submitting a copy of the cited U.S. patent 5,788,065. (Please note, JP 59188812 and WO 0228744 were previously cited in our Information Disclosure Statements filed on January 16, 2008 and February 25, 2005, respectively.)

The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore Applicant is filing concurrently herewith a Statement Under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required.

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Attorney Docket No.: Q86431

Applicant encloses a copy of a TORTA Research S.r.l. letter, received in the EPO on March 18, 2008, for Applicant's counterpart European patent application, and citing the listed documents. The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: May 13, 2008